



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/506,357

04/15/2005

Jason Brett Harrop

17480P029

1087

8791

7590

01/26/2010

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE, CA 94085-4040

EXAMINER

STORK, KYLE R

ART UNIT

PAPER NUMBER

2178

MAIL DATE

DELIVERY MODE

01/26/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/506,357	Applicant(s) HARROP ET AL.	
	Examiner KYLE R. STORK	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 179-195, 198-234, 236-272 and 289-298 is/are pending in the application.
- 4a) Of the above claim(s) 179-195, 198-234, 236-242, 289-293 and 295-298 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 243-272 and 294 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This non-final office action is in response to the RCE filed 16 July 2009, and the amendment filed 23 March 2009.
2. Claims 179-195, 198-234, 236-272, and 289-298 are pending.

Election/Restrictions

3. Claims 179-195, 198- 234, and 236-242 remain directed to an invention that is independent or distinct from the invention originally claimed, and newly added claims 289-293 and 295-298 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

Claims 179-195 and 198-206 are directed toward an editor for a document assembly system, classified in 715/255.

Claims 207-234 and 236-242 are directed toward the invention disclosed in Group II of the Restriction Requirement mailed 17 September 2007, and were subsequently non-elected.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Claims 243-272 and 294 are directed toward the originally claimed invention, and are thus elected. Accordingly, claims 179-195, 198- 234, and 236-242, 289-293, and 295-298 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03

Art Unit: 2178

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 243-246, 249-252, 258-259, 261, 267-268, 270, 274-275, 277, 279, 282, and 286 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coulthard et

Art Unit: 2178

al. (US 2002/0178290, filed 11 June 2001, hereafter Coulthard), and further in view of Halloway et al. (US 2003/0033193, filed 9 August 2001, hereafter Halloway).

As per independent claim 243, Coulthard discloses a computer readable storage medium having instructions stored thereon, which when executed, cause a machine to perform a set of operations comprising:

Parsing at least one XML source document to determine document assembly instructions associated with corresponding locations within said at least one XML source document (Figure 4; paragraphs 0034-0037: Here, an intermediate XML source document (item 416) is generated from a database logic source(item 414))

Generating at least one instance document from the at least one XML source document by processing the document assembly instructions to determine content at corresponding locations of the at least one instance document (paragraphs 0033-0034: Here, a legacy application is converted for display via the world wide web. This includes converting the legacy application into an intermediate XML document. The creation of the intermediate XML document determines portions of the legacy display to be inserted into the XML document based upon whether the data is static or dynamic data)

Coulthard fails to specifically disclose validation of data with respect to a predetermined DTD or schema. However, Halloway discloses validation of XML data with respect to a predetermined DTD or schema (paragraph 0026). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have

Art Unit: 2178

combined Halloway with Coulthard, since it would have allowed for a user to determine the validity of the generated document.

As per dependent claim 244, Coulthard and Halloway disclose the limitations similar to those in claim 243, and the same rejection is incorporated herein. Coulthard further discloses wherein at least one of said document assembly instructions includes one or more references to one or more other document assembly instructions (paragraphs 0034-0042: Here, the logic sources are used to generate the intermediate XML source document, which are modified by the insertion of the assemblies. These assemblies and logic sources cause the formation of the JavaServlet page for display).

As per dependent claim 245, Coulthard and Halloway disclose the limitations similar to those in claim 243, and the same rejection is incorporated herein. Coulthard further discloses wherein said at least one XML source document includes one or more references to document assembly instructions external to said at least one XML document (Figure 4, items 414 and 416: Here, the database storing the logic sources is an entity separate from the generated intermediate XML document).

As per dependent claim 246, Coulthard and Halloway disclose the limitations similar to those in claim 245, and the same rejection is incorporated herein. Coulthard further discloses wherein at least one of said one or more references to document assembly instructions includes information that allows one or more of said document assembly instructions to be retrieved from a database (Figure 4, item 414).

As per dependent claim 249, Coulthard and Halloway disclose the limitations similar to those in claim 243, and the same rejection is incorporated herein. Halloway

Art Unit: 2178

discloses wherein one or more of said document assembly instructions determine one or more queries, conditions, and/or reusable content for use in determining said content of said instance document (Figures 4-7). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have added interview data to the combination of Coulthard and Halloway, thereby allowing for user interaction for the generation of a document.

As per dependent claim 250, Coulthard and Halloway disclose the limitations similar to those in claim 243, and the same rejection is incorporated herein. Halloway further discloses wherein said at least one XML source document includes one or more references to one or more queries, conditions, and/or reusable content for use in determining content of said instance document (Figures 4-7). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have added interview data to the combination of Coulthard and Halloway, thereby allowing for user interaction for the generation of a document.

As per dependent claim 251, Coulthard and Halloway disclose the limitations similar to those in claim 245 and the same rejection incorporated herein. Halloway further discloses wherein the referenced queries, conditions, and/or reusable content are external to said one XML source document (Figures 4-7). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have added interview data to the combination of Coulthard and Halloway, thereby allowing for user interaction for the generation of a document.

As per dependent claim 252, Coulthard and Halloway disclose the limitations similar to those in claim 251, and the same rejection is incorporated herein. Coulthard further discloses wherein at least one of said queries, conditions, and/or reusable content is stored in a database, at least one of said one or more references includes information that allows the at least one of said queries, conditions, and/or reusable content to be retrieved from a database (Figure 4, item 414).

As per dependent claim 258, Coulthard and Halloway disclose the limitations similar to those in claim 243, and the same rejection is incorporated herein. Coulthard further discloses wherein the associating of at least some of said locations with corresponding ones of said document assembly instructions associates those document assembly instructions with one or more selected portions of said at least one XML source documents (Figure 4; paragraphs 0034-0037).

As pre dependent claim 259, Coulthard and Halloway disclose the limitations similar to those in claim 258, and the same rejection is incorporated herein. Coulthard further discloses wherein one or more of the document assembly instructions associated with selected portions of said at least one XML source document define one or more conditions that determine whether the one or more corresponding selected portions of said at least one XML source document will be included in the instance document (paragraph 0040: Here, the insertion of assembly instructions into the XML source document defines the I/O output conditions for displaying the JavaServlet page).

As per dependent claim 261, Coulthard and Halloway disclose the limitations similar to those in claim 243, and the same rejection is incorporated herein. Halloway

Art Unit: 2178

discloses wherein one or more queries, conditions, and/or reusable content include interview data defining one or more questions for a user, and constraining responses to said questions (Figures 4-7). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have added interview data to the combination of Coulthard and Halloway, thereby allowing for user interaction for the generation of a document.

As per dependent claim 267, Coulthard and Halloway disclose the limitations similar to those in claim 249, and the same rejection is incorporated herein. Coulthard fails to specifically disclose evaluating a variable having conditions associated with date, including data determined to have a first value, and omitting data determined to have a second value. However, the examiner takes official notice that it was notoriously well known in the art at the time of the applicant's invention that popular programming constructions such as if-else statements and case statements allow for values to be evaluated and different actions, such as inclusion and exclusion, to be performed based upon these evaluated values. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined this well known programming technique with Coulthard, since it would have allowed a user perform different actions based upon the evaluated values.

As per dependent claim 268, Coulthard and Halloway disclose the limitations similar to those in claim 267, and the same rejection is incorporated herein. Coulthard fails to specifically disclose use of Boolean variables. However, the examiner takes official notice that the use of Boolean variables was notoriously well known in the art at

Art Unit: 2178

the time of the applicant's invention for providing a finite set of values for data. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined the use of Boolean variables with Coulthard, thereby allowing for inclusion to data in an instance document to be one of two accepted Boolean values, True or False.

As per dependent claim 270, Coulthard and Halloway disclose the limitations similar to those in claim 261, and the same rejection is incorporated herein. Halloway further discloses wherein said included text is provided by the user (Figures 4-7). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have added interview data to the combination of Coulthard and Halloway, thereby allowing for user interaction for the generation of a document.

As per dependent claim 274, Coulthard discloses the limitations similar to those in claim 273, and the same rejection is incorporated herein. Coulthard fails to specifically disclose wherein said input document includes questions to be displayed to a user and available responses to the questions. However, Halloway discloses wherein one or more logic elements in said one or more logic sources include interview data, and said step of generating includes providing one or more questions to a user and receiving one or more responses to said questions on the basis of said interview data (Figures 4-7). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have added interview data to the combination of Coulthard and Halloway, thereby allowing for user interaction for the generation of a document.

As per dependent claim 275, the applicant discloses the limitations substantially similar to those in claim 249. Claim 275 is similarly rejected.

As per dependent claim 277, Coulthard and Halloway disclose the limitations similar to those in claim 275, and the same rejection is incorporated herein. Coulthard discloses wherein the step of generating includes including text defined in a referenced XML document from a logic source in said instance document (Figure 4, items 412-416: Here, text from a legacy application is extracted into object blocks stored in a logic source database. The extracted logic source data ultimately converted into a dynamic document).

As per dependent claim 279, the applicant discloses the limitations substantially similar to those in claim 249. Claim 279 is similarly rejected.

As per dependent claim 282, Coulthard and Halloway disclose the limitations similar to those in claim 276, and the same rejection is incorporated herein. Coulthard fails to specifically disclose wherein the document includes questions to be displayed to a user and available responses to the questions. However, Halloway discloses wherein one or more logic elements in said one or more logic sources include interview data, and said step of generating includes providing one or more questions to a user and receiving one or more responses to said questions on the basis of said interview data (Figures 4-7). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have added interview data to the combination of Coulthard and Halloway, thereby allowing for user interaction for the generation of a document.

Art Unit: 2178

As per dependent claim 286, Coulthard discloses the limitations similar to those in claim 281, and the same rejection is incorporated herein. Coulthard fails to specifically disclose including text provided by a user. However, Halloway discloses wherein one or more logic elements in said one or more logic sources include interview data, and said step of generating includes providing one or more questions to a user and receiving one or more responses to said questions on the basis of said interview data to be used in a document (Figures 4-7). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have added interview data to the combination of Coulthard and Halloway, thereby allowing for user interaction for the generation of a document.

8. Claims 247-248, 253-257, 262, and 269 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coulthard and Halloway and further in view of Balmin et al. (US 7028028, filed 17 May 2001, hereafter Balmin).

As per dependent claim 247, Coulthard and Halloway disclose the limitations similar to those in claim 243, and the same rejection is incorporated herein. Coulthard fails to specifically disclose wherein said at least one XML source document includes said document assembly instructions. However, Balmin discloses assembly instructions including application data that can be parsed as XML (Figure 4; column 4, lines 23-42; column 10, lines 3-9: Here XML data is stored in a database. This XML data is then used to generate an instance document using the assembled XML data). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to

Art Unit: 2178

have combined Balmin with Coulthard, since it would have allowed a user to create a single format instance document.

As per dependent claim 248, Coulthard and Halloway disclose the limitations similar to those in claim 243, and the same rejection is incorporated herein. Coulthard fails to specifically disclose wherein said at least one XML source document includes XML processing instruction that include said document assembly instructions.

However, Balmin discloses assembly instructions including application data that can be parsed as XML (Figure 4; column 4, lines 23-42; column 10, lines 3-9: Here XML data is stored in a database. This XML data is then used to generate an instance document using the assembled XML data). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Balmin with Coulthard, since it would have allowed a user to create a single format instance document.

As per dependent claim 253, Coulthard and Halloway disclose the limitations similar to those in claim 251, and the same rejection is incorporated herein. Coulthard fails to specifically disclose wherein said at least one XML source document includes one or more references to one or more documents defining one or more queries, conditions, and/or reusable content. However, Balmin discloses creation of documents from XML source data (Figure 4; column 4, lines 23-42; column 10, lines 3-9: Here XML data is stored in a database. This XML data is then used to generate an instance document using the assembled XML data). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Balmin

Art Unit: 2178

with Coulthard, since it would have allowed a user to create a single format instance document.

As per dependent claim 254, Coulthard, Holloway, and Balmin disclose the limitations similar to those in claim 253, and the same rejection is incorporated herein. Coulthard fails to specifically disclose wherein the inserted data includes a URI. However, the examiner takes official notice that it is notoriously well known in the art at the time of the applicant's invention that a URI may be included within inserted data. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined inserting a URI with Coulthard, since it would have allowed a user to specify a reference to external data.

As per dependent claim 255, Coulthard, Holloway, and Balmin disclose the limitations similar to those in claim 253, and the same rejection is incorporated herein. Coulthard further discloses wherein said one or more documents are XML documents (Figure 4; paragraphs 0034-0037)

As per dependent claim 256, Coulthard, Holloway, and Balmin disclose the limitations similar to those in claim 255, and the same rejection is incorporated herein. Coulthard fails to specifically disclose validation of XML documents. The examiner takes official notice that validation of XML documents was notoriously well known in the art at the time of the applicant's invention for determining if a document complies with XML standards. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have validated the logic sources, thereby ensuring that validity of the XML documents.

As per dependent claim 257, Coulthard, Halloway, and Balmin disclose the limitations similar to those in claim 256, and the same rejection is incorporated herein. Coulthard further discloses wherein the editor is configured to edit said one or more XML documents defining one or more queries conditions, and/or reusable content whilst maintaining the validity of said XML documents with respect to a predetermined DTD or schema (Figure 4; paragraphs 0034-0037).

As per dependent claim 262, Coulthard and Halloway disclose the limitations similar to those in claim 243, and the same rejection is incorporated herein. Coulthard fails to specifically disclose wherein the assembly instructions include application data that can be parsed as XML. However, Balmin discloses assembly instructions including application data that can be parsed as XML (Figure 4; column 4, lines 23-42; column 10, lines 3-9: Here XML data is stored in a database. This XML data is then used to generate an instance document using the assembled XML data). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Balmin with Coulthard, since it would have allowed a user to create a single format instance document.

As per dependent claim 269, Coulthard, Halloway, and Balmin disclose the limitations similar to those in claim 255, and the same rejection is incorporated herein. Coulthard discloses wherein the step of generating includes including text defined in a referenced XML document from a logic source in said instance document (Figure 4, items 412-416: Here, text from a legacy application is extracted into object blocks stored

Art Unit: 2178

in a logic source database. The extracted logic source data ultimately converted into a dynamic document).

9. Claim 260 is rejected under 35 U.S.C. 103(a) as being unpatentable over Coulthard and Halloway, and further in view of Rajaram (US 2005/0026603, filed 2 November 2001).

As per dependent claim 260, Coulthard and Halloway disclose the limitations similar to those in claim 259, and the same rejection is incorporated herein. Coulthard discloses wherein at least one of the one or more portions of the XML source document includes one or more XML nodes in the XML source document (Figure 4). Coulthard fails to specifically disclose conditional inclusion of nodes within the instance document. However, Rajaram discloses conditional inclusion of nodes within an instance document (paragraph 0085). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Rajaram with Coulthard, since it would have allowed for conditional inclusion of nodes within an instance document (Rajaram: paragraph 0085).

10. Claims 263-266 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coulthard, Halloway, and Balmin, and further in view of Kimura et al. (US 2003/0097283, filed 27 February 2002, hereafter Kimura).

As per dependent claim 263, Coulthard, Halloway, and Balmin disclose the limitations similar to those in claim 253, and the same rejection is incorporated herein.

Art Unit: 2178

Coulthard fails to specifically disclose including attributes of a party. However, Kimura discloses party information included in a data system (paragraphs 0047-0048). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Kimura with Coulthard, since it would have allowed a user to include reservation information into a source document.

As per dependent claims 264, Coulthard, Holloway, Balmin, and Kimura disclose the limitations similar to those in claim 263, and the same rejection is incorporated herein. Kimura further discloses wherein the party attributes include one or more of gender and number (paragraphs 0047-0048). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Kimura with Coulthard, since it would have allowed a user to include reservation information into a source document.

As per dependent claim 265, Coulthard, Holloway, Balmin and Kimura disclose the limitations similar to those in claim 263, and the same rejection is incorporated herein. Coulthard fails to specifically disclose party data. However, Kimura discloses party information included in a data system (paragraphs 0047-0048). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Kimura with Coulthard, since it would have allowed a user to include reservation information into a source document.

As per dependent claim 266, Coulthard, Holloway, and Balmin disclose the limitations similar to those in claim 255, and the same rejection is incorporated herein. Coulthard fails to specifically disclose party data. However, Kimura discloses party

Art Unit: 2178

information included in a data system (paragraphs 0047-0048). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Kimura with Coulthard, since it would have allowed a user to include reservation information into a source document.

11. Claim 294 is rejected under 35 U.S.C. 103(a) as being unpatentable over Coulthard and Halloway, and further in view of Gajraj (US 2002/0002566, filed 16 July 1998).

As per dependent claim 294, Coulthard and Halloway disclose the limitations similar to those in claim 243, and the same rejection is incorporated herein. Coulthard fails to specifically disclose wherein the instance document and source document are both valid with respect to the same predetermined DTD or schema. However, Gajraj discloses validating both the source document and the instance document using a common predetermined DTD or schema (paragraphs 0092 and 0130). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Gajraj with Coulthard, since it would have allowed for the validation of transformed data using a common DTD.

Response to Arguments

12. Applicant's arguments filed 23 March 2009 have been fully considered but they are not persuasive.

The applicant presents several arguments with respect to claims which have been withdrawn by an election based upon original presentation (pages 17-19). If the applicant intends to pursue prosecution of these claims on the merits, the examiner recommends that the applicant traverse the restriction.

With respect to claim 243, applicant further argues that the prior art fails to disclose generating at least one instance document from the at least one XML source document by processing the document assembly instructions to determine content at corresponding locations of the at least one instance document and validation by a DTD or schema not having document assembly instructions (page 18). However, the examiner respectfully disagrees. Coulthard discloses generating at least one instance document from the at least one XML source document by processing the document assembly instructions to determine content at corresponding locations of the at least one instance document (paragraphs 0033-0034). In this instance, the legacy information, containing assemblies is converted into an intermediate XML document. This intermediate XML document is the basis for the generation of an instance document (Figure 4, items 416, 418, 420; paragraphs 0028-0039).

The examiner acknowledges that Coulthard fails to specifically disclose validation of data with respect to a predetermined DTD or schema. However, Halloway discloses validation of XML data with respect to a predetermined DTD or schema (paragraph 0026). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Halloway with Coulthard, since it would have

Art Unit: 2178

allowed for a user to determine the validity of the generated document. For these reasons, this argument is not persuasive.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KYLE R. STORK whose telephone number is (571)272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kyle R Stork/
Primary Examiner, Art Unit 2178